

Title 9 Changes

Top Ten Things You Need To Know

Effective Date

- All Title 9 and license suspension changes take place **January 1st, 2015**
- All offense reclassifications (for example, Class C Felony to Level 5 Felony), take place **July 1st, 2014**

Window Tint

- Window tint violations now have the same protections as seat-belt stops
- You are prohibited from inspecting or detaining the driver, passenger, or the vehicle for a violation of this statute
- UNLESS you develop independent probable cause

License Suspensions

- Major changes to license suspensions, particularly in terms of mandatory suspensions
- BUT, no changes as to how they are enforced;
 - Will still show up in BMV report as Suspended, Suspended w/Priors, HTV, etc.
 - Offense levels remain the same

Specialized Driving Privileges

- No more probationary or hardship licenses, merged into a single Specialized Driving Privilege
- Driver **MUST HAVE** a copy of their court order detailing the conditions of their SDP, and proof of insurance
- Not possessing the order, insurance, or violating the terms of the order, is a violation of 9-30-4-8, Driving in Violation of a Restricted Driving Privilege

Habitual Traffic Violator

- In terms of enforcement, remains unchanged
- A Habitual Traffic Violator may have Specialized Driving Privileges, has to follow the same rules
- Someone who is HTV and causes Serious Bodily Injury or Death commits a Level 5 Felony

Leaving the Scene

- Combines everything into one statute; if you hit something, you have to stop or you are responsible for the consequences, regardless of what you 'thought' you hit!
- For property damage crashes, the driver is now allowed to call the Sheriff and leave their information if they are unable to locate the property owner

Motor Vehicle Fraud

- Many statutes involving odometers, altering titles, etc., combined into a Motor Vehicle Fraud statute
- Any attempt to sell vehicle fraudulently (altered odometer, false title, etc.) is a Level 6 Felony
- Simply possessing a destroyed VIN number is not a crime...requires some criminal intent

Motor Cycles at Red Lights

- 9-21-3-7 allows for drivers on a motorcycle, motor driven cycle, etc., to pass through a red light after waiting for 2 minutes
- The bikes do not contain enough metal or mass to set off the changing mechanism
- No enforcement issues...
 - If you are driving perpendicular to them, you are oncoming traffic and they cannot proceed safely
 - If you are traveling the opposite direction, your vehicle will trigger the light
 - If you are behind them, you will see that they waited 2 minutes

Highway Work Zone Definition

- Changes definition of what constitutes a work zone
- A work zone is now any area that is between markers indicating it is a work zone
- Gets around a lot of the INDOT manual requirements

Motor Driven Cycles

- No more mopeds, scooters, or motorized bicycles...they are all motor driven cycles.
- All must be registered and plated
- Divides into two categories;
 - Class A MDCs
 - Require Insurance
 - Require Operators License
 - Class B MDCs
 - 50cc (other requirements removed)
 - No license, no insurance
 - Requires ID

Motor Driven Cycles (Cont.)

- Class B requirements
 - 15 years old
 - ID card with MDC Endorsement
 - No interstates or sidewalks
 - Not faster than 35 mph
- HTV – MDC is an affirmative defense that only applies if driver meets the above requirements
 - If they are HTV and going over 35 or they don't have the proper endorsement, that is a Felony HTV